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AUG 24 2005

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

BURGETT, SCOTT

Serial No.: 10/826,754

Filed: April 16, 2004

DEVICE AND METHOD FOR CALIBRATING  
AND IMPROVING THE ACCURACY OF  
BAROMETRIC ALTIMETERS WITH  
GPS-DERIVED ALTITUDESAttorney Docket No.:  
702.348

Group Art Unit No. 3662

Examiner: GREGORY, B. E.

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being sent by facsimile to 571-273-8600 on:	
8/24/05	<i>Shirley O'Neil</i>
Date	Signature

Mail Stop PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION TO REVIVE APPLICATION UNDER 37 CFR 1.137(b)

Applicants respectfully request the revival of the above-identified patent application under 37 CFR §1.137(b) as being unintentionally abandoned for failure to respond to the final Office Action mailed December 10, 2004 by the six-month deadline of June 10, 2004.

Abandonment of this application was unintentional, and the entire delay in filing the required reply from the due date for the reply until the filing of this Petition was unintentional.

Accompanying this Petition are a Petition for Three-Month Extension of Time and the required fee, a Request for Continued Examination, and an Amendment in response to the Office Action mailed December 10, 2004.

The Commissioner is authorized to charge the Petition Fee due under 37 CFR §1.17(m), and any other fees which may be due, to Deposit Account No. 501-791.

Application No. 10/826,754  
Amendment dated February 8, 2005  
Reply to Advisory Action of January 21, 2005

**REMARKS:**

Applicants assert that the entire delay in filing the required reply from the due date for the reply until the filing of this Petition was unintentional.

More specifically, the Office Action mailed December 10, 2004, rejected claim 1, but indicated that claim 5 would be allowable if rewritten to include the limitations of claims 1-4, upon which claim 5 depended. Claim 5, including those claims from which it depends, recites, among other things, an Altimeter and a GPS component, both of which determine an altitude.

On January 14, 2005, Applicants filed an Amendment amending claim 1 to essentially include the limitations of claim 5. However, Applicants also included the terms "first altitude" and "second altitude" in an attempt to avoid possible confusion between the altitude as determined by the altimeter and the altitude as determined by the GPS component.

In an Advisory Action mailed January 21, 2005, the Examiner objected to the introduction of the "first altitude" and "second altitude" terms, and therefore refused to enter the January 14, 2005 Amendment.

On February 10, 2005, Applicants filed another Amendment without the "first altitude" and "second altitude" terms. Thus, Applicants attempted to, and indeed believed we had, properly replied to the Office Action mailed December 10, 2004.

Therefore, Applicants believe that the entire delay in responding to the Office Action mailed December 10, 2004 and filing the Petition has been unintentional.

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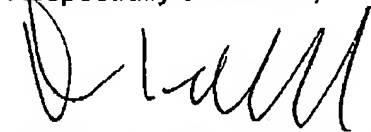
### Conclusion

Applicants respectfully submit that the claims are in a condition for allowance. The Examiner is invited to telephone Applicants at (913) 440-5421 to facilitate prosecution of this application.

Any additional fee which is due in connection with this amendment should be applied against our Deposit Account No. 501-791. In view of the foregoing, a Notice of Allowance appears to be in order and such is courteously solicited.

Respectfully submitted,

By:



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